

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 14663 of Washington City Orphan Asylum, pursuant to 11 DCMR 3108.1 of the Zoning Regulations, for a special exception under Section 207 to construct an electric substation in an R-5-B District at premises 2200 - 13th Street, N.W., (Square 234, Lots 62 and 73).

HEARING DATE: September 9, 1987
DECISION DATE: September 9, 1987 (Bench Decision)

FINDINGS OF FACT:

1. The site, known as premises 2200 - 13th Street, N.W., is located at the northwest corner of the intersection of W and 13th Streets. The site is located in an R-5-B District.

2. The R-5-B District extends to the north, south and east of the site. A C-M-2 District is located directly to the west of the site. The eastern half of the block where the site is located is developed with two-story rowhouses with the exception of a boarded up apartment house at the corner of 13th Street and Florida Avenue. Across 13th Street from the site are two-story rowhouses. Diagonally across from the site is the former Children's Hospital. Across W Street from the site are three-story rowhouses. The neighborhood in which the site is located is in the process of being upgraded. A significant project, the Reeve's Center at 14th and U Streets is completed. Metro is under construction in the area. Development on the Children's Hospital site is anticipated in the near future.

3. The site is rectangular in shape with a frontage of 192 feet along 13th Street and 110 feet along W Street. A ten foot wide public alley is located to the west of the site. The site is now being used as a parking lot.

4. Pursuant to Sub-section 3108.1 of the Zoning Regulations, the applicant is seeking a special exception under Section 207 to construct an electrical substation at the site.

5. The contract purchaser of the site, the Potomac Electric Power Company (PEPCO) has determined that an additional electric substation is required for the area.

6. The site is proposed to would be developed with an electric substation contained in a 32 foot high brick structure. The facade treatment would be compatible with the rowhouses in the area.

7. The proposed substation will be fully contained within the structure and automatic in its operation. There will be no permanent employees at the substation. PEPCO maintenance personnel will make periodic visits to the site to ensure its proper functioning.

8. The operation of the substation will produce no chemical pollution. Noises generated by the transformers will be dampened by sound insulation installed within the structure.

9. Landscaping including trees will be provided along the street frontages and the northern boundary of the site.

10. By memorandum dated August 18, 1987, the Office of Planning (OP) recommended approval of the application as the proposed structure and landscaping shown on the plans submitted by the applicant are compatible with the character of the neighborhood.

11. By letter dated September 1, 1987, Advisory Neighborhood Commission (ANC) 1B requested that the Board waive its rules to accept the late filing of the ANC's report on the application. At the time of the public hearing, the ANC had not met to formally consider the application and vote. The Board finds that the ANC had been properly noticed 40 days in advance of the public hearing and that the record would not be left open to receive the report.

12. There was no opposition to the application at the public hearing or of record.

CONCLUSIONS OF LAW AND OPINION:

Based on the Findings of Fact and the evidence of record, the Board concludes that the applicant is seeking a special exception, the granting of which requires substantial evidence that the applicant has complied with the requirements of Sub-section 3108.1 and Section 207 of the Zoning Regulations. The Board concludes that the applicant has met its burden of proof. The Board commends the design as proposed by the applicant and concludes that the plans provide the setbacks, screening and other safeguards necessary for the protection of the neighborhood.

The Board further concludes that the special exception can be granted as being in harmony with the general purpose

an intent of the Zoning Regulations and Map and it will not affect adversely the use of neighboring property. Accordingly, it is ORDERED that the application is GRANTED, SUBJECT to the CONDITION that construction shall be in accordance with the plans marked as Exhibit No. 13 of the record.

VOTE: 4-0 (Paula L. Jewell, Charles R. Norris, William F. McIntosh and Carrie L. Thornhill to approve).

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

ATTESTED BY:


EDWARD L. CURRY
Acting Executive Director

FINAL DATE OF ORDER: SEP 23 1987

UNDER 11 DCMR 3103.1, "NO DECISION OR ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN DAYS AFTER HAVING BECOME FINAL PURSUANT TO THE SUPPLEMENTAL RULES OF PRACTICE AND PROCEDURE BEFORE THE BOARD OF ZONING ADJUSTMENT."

THIS ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER, UNLESS WITHIN SUCH PERIOD AN APPLICATION FOR A BUILDING PERMIT OR CERTIFICATE OF OCCUPANCY IS FILED WITH THE DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS.

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